

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: June 29, 2005

Minutes Approved by Board on September 14, 2005

A meeting of the Georgia State Board of Landscape Architects was held on Wednesday, June 29, 2005, at the Office of the Division Director, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board Members were present:

Michael W. Breedlove, Chairman
Jaydee Atkins Ager, Consumer Member
D. Chad Baker, Landscape Architect
Paul J. Brickey, Jr., Landscape Architect

Others present were:

Gwyn H. Ridley, Executive Director
Marie S. Urquhart, Board Secretary
Annie Ruth Parks, Applications Specialist
Janet Wray, Board Attorney
Jackie Turner, Investigations

Chairman Breedlove established that a quorum was present at 9:37 a.m. and called the meeting to order.

Ms. Ager made a motion to **approve** the minutes of the March 30, 2005 Board meeting as corrected. Mr. Brickey seconded the motion. The motion carried unanimously.

Ms. Ager made a motion to enter into Executive Session, in accordance with O.C.G.A. 43-1-2 (k) and 43-1-19 (h) to deliberate on applications, investigations and to receive investigative reports. Mr. Baker seconded the motion. Voting in favor of the motion were those members present who included Board members Ager, Baker, Breedlove, and Brickey. The Board concluded Executive Session in order to act on these matters and to continue with the public session.

Applications:

Ms. Parks presented the following Landscape Architect applications for the Board's review. Ms. Ager made a motion to **approve** the following applications for examination, reciprocity, and temporary licensure that met certification requirements. Mr. Brickey seconded the motion. The motion carried unanimously.

Examination:

The following applicants were **approved** to take the L.A.R.E.:

Christine E. Burkholder
Carmine C. Fischetti
Jennifer A. Preston

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The following applicant was **approved** to sit for future administration dates of the L.A.R.E., however; scores from the April 2005 examination were rejected because prior approval was not obtained in accordance with Board Rule 310-2-.01 and 310-2-.03:

Marc E. Morrow

The following applicant was **approved** for licensure in Georgia by Reciprocity pending passage of the Georgia Component Section of the Landscape Architect Registration Examination:

David W. Floyd, Jr.

Temporary License:

The following applicant was **approved** for a temporary licensure:

Michael McIntyre

The following applicants were **approved** for a temporary license pending proof of continuing education and evidence of holding a current license in another jurisdiction:

James Darrell Burnett
Shane Coen

The Board reviewed and approved the following list of Landscape Architects licensed since the last review:

License Number	Name	License Date	License Method
LA001408	Michael W. Kidd	03/25/2005	Examination
LA001409	Christopher C. Hall	04/01/2005	Examination
LA001410	Bradley T. Gilbert	06/14/2005	Examination
LA001411	Timothy W. Larson	06/14/2005	Examination
LA001412	Kelly Lynn Routson	06/14/2005	Examination
LA001413	Erin Denise Searcy	06/14/2005	Examination

The following applicants provided additional information regarding their applications and to appeal the Board's disapproval of their examination scores:

James Bryan Edwards: After considering additional information provided, Mr. Brickey made a motion to reaffirm the previous decision to **disapprove** previous examination scores. Ms. Ager seconded the motion. The motion carried unanimously.

Chau Ngo-Phan: After considering additional information provided, Mr. Brickey made a motion to reaffirm the previous decision to **disapprove** previous examination scores. Ms. Ager seconded the motion. The motion carried unanimously.

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Correspondence, written requests and inquiries:

Gregg W. Hudspeth: The Board reviewed correspondence regarding applications for licensure of two employees. The Board noted that it is precluded from discussing applications because applications for licensure are confidential pursuant to Georgia Law Code Section 43-1-2(k)(1). The Board also noted that the examination sequence has been established to fulfill the requirements of Georgia Law, and the Board is interfacing with CLARB regarding the examination registration process. Mr. Brickey made a motion to respond accordingly. Ms. Ager seconded the motion. The motion carried unanimously.

CLARB/Clarence Chafee: The Board reviewed memorandums regarding candidates taking the L.A.R.E. examination without prior approval from the Board.

Laura Gaynor/Region 3 Director CLARB: Ms. Gaynor met with the Board via telephone conference to discuss Georgia candidates gaining access to the CLARB administered computer-based portions of the examination without having Board approval. The development of additional checks and balances regarding the examination registration process was discussed.

Investigative Report:

The Board heard a report from the Investigative Unit and the Enforcement Committee.

LA030016: Mr. Brickey made a motion to close the case. Ms. Ager seconded the motion. The motion carried unanimously.

LA050012: Mr. Brickey made a motion to close the case. Ms. Ager seconded the motion. The motion carried unanimously.

LA050015: Mr. Brickey made a motion to close the case with a letter of concern. Mr. Baker seconded the motion. The motion carried unanimously.

LA050018: Ms. Ager made a motion to close the case. Mr. Baker seconded the motion. The motion carried unanimously.

Matt Drain/Kingshouse Investments Inc.: Mr. Brickey made a motion to accept a signed Voluntary Cease and Desist Order and close the case. Ms. Ager seconded the motion. The motion carried unanimously.

Executive Director's Report:

The Executive Director updated the Board on the following items:

- The website has been updated to include a link to the Georgia Soil and Water Conservation Commission for information on Georgia's Mandatory Education/Certification Program for Erosion and Sedimentation Control.
- 93% of landscape architects completed the renewal on-line
- Travel funds for fiscal year 2006 mirror 2005

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Correspondence and Items of Information:

ASLA: The Board reviewed correspondence concerning the Model Ordinances - Storm Water Management. Mr. Brickey made a motion to correspond with all parties involved regarding the Board's position in the matter. Ms. Ager seconded the motion. The motion carried unanimously.

The Board reviewed other miscellaneous correspondence and information that did not require a vote or action.

Propose To Adopt Rule 310-2-.01:

At its meeting on June 29, 2005, the Landscape Architects Board voted to post 310-2-.01. The Board discussed revisions to its rules and considered modifications to Rule 310-2-.01. Mr. Brickey made a motion to propose adoption of these rules and to post and hold a public hearing to receive comments regarding the proposed rules and to consider adoption of the rules following the public hearing. In its consideration of the proposed rules, the Board stated that the formulation and adoption of these rules do not impose additional regulatory cost on any licensee that cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes that are the basis for the proposed rules. Further, the Board stated that it is not legal or feasible to meet the objectives of these statutes to adopt or implement differing actions for business as listed in O.C.G.A. Section 50-13-4(a)(3)(A)(B)(C) and (D) and that the formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned, and operated and dominant in the field of Accountancy. Ms. Ager seconded the motion. The motion carried unanimously.

Other Business:

There was no further business and the meeting was adjourned at 12:19 p.m.

Marie S. Urquhart

Recorded by Board Secretary

Gwyn H. Ridley

Reviewed by Executive Director

Michael W. Breedlove

Chairman

Landscape Architects

Mollie L. Fleeman

Mollie L. Fleeman

Division Director

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Attachment

STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

Comes now Michael W. Breedlove, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS.
2. I am over the age of 18 and in all over aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On June 29, 2005 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

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4. The legal authority for the closure of this meeting was:

OCGA 43-1-2 (k); 43-1-19(h)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

RECEIPT OF AND DELIBERATIONS REGARDING APPLICATIONS
AND APPLICATION INFORMATION AND DELIBERATIONS
REGARDING INVESTIGATIONS AND ENFORCEMENT MATTERS;
RECEIPT OF THE RESULTS OF INVESTIGATIONS.

FURTHER THE AFFIANT SAYETH NOT.

Michael W. Breedlove
PRESIDING OFFICER

SWORN AND SUBSCRIBED BEFORE ME

This 29th day of June, 2005

Marie S. Urquhart
Notary Public